IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.204/2002

Shikhar Chand S/o Chhitar Mal
...plaintiff-appellant
Versus
Gram Panchayat Laxmangarh through its Sarpanch
AND Public Works Department, Alwar
...defendant-respondents

Date of Order ::: 31.10.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Sriram Yadav, Counsel for plaintiff-appellant
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By the Court:-

Heard learned counsel for the appellant.

The plaintiff-appellant filed a suit for declaration and permanent injunction in the lower court, which was dismissed and the judgment and decree passed by the lower court has been affirmed by the first appellate court. The learned counsel for the plaintiff-appellant has argued the case at length and after considering his submissions in the light of judgments and decree passed by both the courts below I find that the arguments raised on behalf of the plaintiff-appellant are relating to question of facts and there is concurrent finding of facts by both the courts below, which cannot be interfered with by this

court in second appeal under Section 100 of the Code of Civil Procedure. No illegality or perversity has been pointed out by the learned counsel for the plaintiff-appellant in the judgment and decree passed by both the courts below.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.

//Jaiman//